

**City of Reading City Council
Regular Business Meeting
Monday, March 26, 2012**

Council President Francis G. Acosta called the meeting to order.

The invocation was given by District 5 City Councilor Donna Reed.

All present pledged to the flag.

ATTENDANCE

Council President Acosta
Councilor Corcoran, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Reed, District 5
Councilor Waltman, District 6
Mayor V. Spencer
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher
Sgt at Arms Captain S. Powell

PROCLAMATIONS AND PRESENTATIONS

Mayoral Proclamation recognizing the 35th Anniversary of Prospectus Berco was accepted by Executive Director Jody Wagner.

PUBLIC COMMENT

Council President Acosta announced that three (3) citizens were registered to address Council on agenda matters and four (4) citizens were registered on non-agenda matters. He inquired if any Councilor objected to suspending the rule requiring non-agenda comment at the end of the Council meeting. As no one objected, the rule to require non-agenda comment was suspended. Council President Acosta reminded those registered of the remaining public speaking rules.

Judy Vaskorlis, of North 10th Street, noted the importance of the Lance Place Playground to the Outlet Neighborhood Community and the work of the community to maintain the playground.

John Anderson, Fort Washington, stated that he is not a City resident but an investment property owner. He noted the ongoing maintenance of the Outlet Neighborhood Community at Lance Place playground. He stated that the community group obtained a grant of \$4,500 from his employer to assist with the project.

Felice Reed-Anderson, Fort Washington, stated that she has been an investment property owner for ten (10) years. She described her view of the Lance Place Playground as an asset to the community and noted the community's work to keep the playground trash free. She asked Council to support the Award of Contract to rehabilitate the playground.

Benny Ohri, Community Drive, Shillington, described his move to the United States and his start of an investment property business here and in other counties. He noted the unfairness of the Quality of Life ticketing program.

Shanikqua Nelson, Schuylkill Avenue, was not present.

Chris Ferguson, Schuylkill Avenue, was not present.

Mel Jacobson, North 5th Street, stated that campaigns are over and noted that City Council and the Mayor need to work together to lead the City positively. He asked the elected officials not to squander their leadership opportunity. He stated that this is not the time for political patronage or appointing inappropriate people but instead appointing experienced staff who can lead and advise rather than appointing resume builders without municipal experience.

APPROVAL OF THE AGENDA & MINUTES

Council President Acosta called Council's attention to the agenda for this meeting and the minutes for the March 12th regular meeting of Council. He noted the need to amend the agenda as follows:

- Withdrawal of Resolution B. under the Consent Agenda heading regarding the Micro Enterprise Technical Assistance activity
- Add a Resolution to the Consent Agenda authorizing a \$5M to the City's unfunded debt loan.

Councilor Sterner moved, seconded by Councilor Marmarou, to approve the agenda as amended, including the legislation under the amended Consent Agenda heading and the minutes from the March 12th, 2012 Regular Meeting of Council. The motion was approved unanimously.

Consent Agenda

A. Resolution 50-2012 authorizing the Mayor to execute a FFY2012 (38th CD year - January 1, 2012 to December 31, 2012) CDBG Action Plan Amendment to program \$91,000 in CDBG funds for the Lance Place Playground Improvements activity **(CD)**

B. Resolution 51-2012 approving a TEFRA project between Alvernia University and the Reading Redevelopment Authority **(Stevens & Lee)**

C. Resolution 52-2012- designating Ralph Johnson, as Manager of the City of Reading Wastewater Treatment Plant, to execute and sign all certifications and documentation required in connection with the PENNVEST Financial Assistance Application **(Man Dir)**

D. Resolution 54-2012 authorizing \$5M to the City's unfunded debt loan

E. Award of Contract - for the Sewer Evaluation and Inspection to Woolpert, Inc., 4454 Idea Center Blvd., Dayton, OH 45430, for a total submitted price of approximately \$82,122.87 (Purchasing)

ADMINISTRATIVE REPORT

Mayor Spencer read the report distributed to Council with the agenda highlighting the following:

- CD Director Lenin Agudo began working for the City on March 22/2012
- Start of the Graffiti Abatement Program
- Sustainability Committee meeting with the Institute for Local Self-Reliance
- Completion of the renovations at the Northmont Playground

Councilor Marmarou stated that citizen's believe that they need to pay for the Graffiti Abatement Program. Mayor Spencer stated that the program is offered at no charge to City residents as the property owners are not responsible for the crime of graffiti.

Councilor Goodman-Hinnershitz inquired how local businesses currently engaged in sustainability will be involved with the Sustainability Committees efforts. Mayor Spencer stated that the Sustainability Committee's work with Institute for Local Self-Reliance is focused solely on small, non-profits.

AUDITOR'S REPORT

City Auditor Cituk read the report distributed to Council at the meeting covering the following:

- Collection of 2012 Admission Tax fee
- 2007-2011 payment of PILOT
- Collection of Real Estate Transfer Tax
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ORDINANCES FOR FINAL PASSAGE

Bill No. 31-2012 - amending the 2012 City of Reading general fund budget by authorizing the transfer of funds from the mailroom division to the citizens service center (CSC)

(Controller) *Introduced at the March 12 regular meeting*

Councilor Corcoran moved, seconded by Councilor Marmarou, to enact Bill No. 31-2012.

Bill No. 31-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President – 7**

Nays: None- 0

Bill No. 32-2012 - amending the Lease Agreement between the City of Reading and the Reading Area Water Authority (RAWA/Law) *Introduced at the March 12 regular meeting* authorizing the Mayor to acquire, by condemnation or otherwise, a fee or easement interest, as deemed necessary or prudent by the mayor, in the parcels of land indentified as property identification numbers 18530651852796 and 18530616947572 (the “properties”) located along the west shore of the Schuylkill River between the Sixth and Canal Pump Station and Fritz Island Wastewater Treatment Plant (“WWTP”) for the purpose of constructing and maintaining such sanitary sewer facilities required for the efficient transportation of sewage to the WWTP **(Man Dir)** *Introduced at the February 27 regular meeting*

Councilor Reed moved to table Bill No. 32-2012.

Councilor Reed withdrew her motion to table Bill No. 32-2012.

Councilor Goodman-Hinnershitz moved, seconded by Councilor Corcoran, to enact Bill No. 32-2012.

Councilor Goodman-Hinnershitz stated that this lease amendment agrees only to further discussion about the proposed hardship panel with the RAWA Board.

Bill No. 32-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Acosta,
President - 6
Nays: Waltman- 1**

Bill No. 33-2012 - amending the City of Reading Codified Ordinances Chapter 3 Bicycles Part 1 Bicycle Regulations Section 3-106 Operation and Parking **(Police/Council Staff)**
Introduced at the March 12 regular meeting

Councilor Goodman-Hinnershitz moved, seconded by Councilor Sterner, to enact Bill No. 33-2012.

Bill No. 33-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President – 7
Nays: None- 0**

Bill No. 34-2012 - amending the City of Reading Codified Ordinances Chapter 15 Motor Vehicles and Traffic Part 10 Regulation of Pedalcycles and Non-Motorized Vehicles Section 15-1001 Riding and Parking of Pedalcycles on Sidewalks along Certain Streets Prohibited as attached **(Police/Council Staff)** *Introduced at the March 12 regular meeting*

Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 34-2012.

Bill No. 34-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7
Nays: None- 0**

Bill No. 35-2012 - amending Chapter 10, Health and Safety, of the Codified Ordinances of the City of Reading by eliminating Dry Cleaning Establishments from the regular inspection of the premises of Commercial and Residential Common Laundries under the Health Code of the City of Reading **(Law)** *Introduced at the March 12 regular meeting*

Councilor Marmarou moved, seconded by Councilor Reed, to enact Bill No. 35-2012.

Bill No. 35-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7**

Nays: None- 0

Bill No. 36-2012 - authorizing the Mayor to execute the third addendum to the lease and operating agreement between the City of Reading, Pennsylvania and the Reading Area Water Authority, in the form attached hereto as Exhibit "A", and such other documents necessitated thereby, including, without limitation, (1) a deed conveying to the Reading Area Water Authority an approximately one hundred twenty (120) acre parcel of land located in Ontelaunee Township owned by the City and (2) a deed conveying to the Reading Area Water Authority an approximately two and thirty-nine one hundredths (2.39) acre parcel of land owned by the City and located at 1801 Moss Street in the City of Reading **(Man Dir)**
Introduced at the March 12 regular meeting

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to table Bill No. 36-2012.

Bill No. 36-2012 was tabled by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7**

Nays: None- 0

Bill No. 37-2012 – amending the 2012 City of Reading general fund budget by authorizing the transfer of debt service savings produced by refinancing 2005 notes and 2008 bonds to spending contingency **(Controller)** *Introduced at the March 12 regular meeting*

Councilor Reed moved, seconded by Councilor Corcoran, to enact Bill No. 37-2012.

Bill No. 37-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7**

Nays: None- 0

Bill No. 38-2012 - amending Chapter 5, Code Enforcement of the Codified Ordinances of the City of Reading by adding Alleys and Recycling Storage to existing Quality of Life Violations and amending language in the current Fines and Penalties Section (**Law/Codes**)
Introduced at the March 12 regular meeting

Councilor Goodman-Hinnershitz moved, seconded by Councilor Reed, to table Bill No. 38-2012.

Bill No. 38-2012 was tabled by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7
Nays: None- 0**

Bill No. 39-2012 – rescinding Ordinance 59-2010 in its entirety (**Council Staff/Law**)
Introduced at the March 12 regular meeting

Councilor Corcoran moved, seconded by Councilor Reed, to enact Bill No. 39-2012.

Bill No. 39-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7
Nays: None- 0**

Bill No. 40-2012 – rescinding Ordinance 59-2010 regarding removal of Charter Board members in its entirety (**Council Staff/Law**) *Introduced at the March 12 regular meeting*

Councilor Reed moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill No. 40-2012.

Bill No. 40-2012 was enacted by the following vote:

**Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7
Nays: None- 0**

Bill No. 41-2012 – amending the City of Reading Fee Schedule in relation to Commercial Laundry Fees **(Law)** *Introduced at the March 12 regular meeting*

Councilor Reed moved, seconded by **Councilor Goodman-Hinnershitz**, to enact **Bill No. 41-2012**.

Bill No. 41-2012 was enacted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7
Nays: None- 0

Bill No. 42-2012 – amending Chapter 4 Buildings Part 3 Certificate of Transfer by changing the effective date to May 1, 2012 **(Bus Analyst)** *Introduced at the March 12 regular meeting*

Councilor Reed moved, seconded by **Councilor Corcoran** to table **Bill No. 42-2012**.

Bill No. 42-2012 was tabled by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Waltman, Acosta,
President - 7
Nays: None- 0

INTRODUCTION OF NEW ORDINANCES

Council President Acosta read the following ordinances into the record:

Ordinance - amending the City of Reading Codified Ordinances §1-122. Ordinances, Part 5 Recording **(Council Staff/Law)**

Ordinance - amending §1-119 of the Administrative Code, Public Participation **(Council Staff/Law)**

Ordinance - amending the 2012 Property Maintenance Division Budget, allocating \$45,000 to the General Fund for vehicle purchases **(Bus Analyst)**

Ordinance - amending the City of Reading Codified Ordinances Chapter 1 Administration and Government, Section 186 G Fiscal Provisions by reducing the amount of expenditures and allocations requiring Council's approval from \$25,000 to \$10,000 **(Council Staff)**

RESOLUTIONS

Resolution 53-2012- approving a Conditional Use permit for Mary's Shelter for a group home at the Navy Marine Center located at 615 Kenhorst Blvd, as attached in the decision attached herein **(Council Staff/Law)**

Councilor Marmarou moved, seconded by Councilor Sterner, to adopt Resolutions 53-2012.

Council President Acosta noted that he, Councilor Marmarou and Councilor Corcoran met with the community residing around the Navy Marine Center on Wednesday, March 14th at 7pm regarding the use of the parcel.

Councilor Marmarou thanked the City Clerk and the LRA for their diligent work on this complicated issue. He also thanked the group for their work to extensively include the surrounding community.

Councilor Corcoran stated that he originally was concerned with the Mary's Shelter application to move to this site; however after further evaluation he now believes that this is a good fit for the community.

Councilor Sterner thanked the City Clerk and the LRA for their work over the last four (4) years. He expressed the belief that the group has made a well thought out decision.

Councilor Reed noted that the LRA's work is the best example of finding a compromise that makes the best of the federal regulations and the desire of the affected community. She congratulated the LRA for their success.

Councilor Waltman stated that although this reuse may be best under the federal requirements, he expressed the belief that a better alternative could have been identified.

Councilor Corcoran noted that the remaining 4.35 acres will probably be sold to the Reading Redevelopment Authority for a rate able reuse. He stated that further citizen participation will be provided through the Redevelopment Authority and Zoning Hearing Board meetings.

Council President Acosta expressed the belief that the reuse plan is best under the federal regulations. He stated that although some of the community does not believe that this is the best option for this R-2 parcel, he expressed the belief that this is the best mixed-use alternative for this seven (7) acre site.

Resolution 53-2012 was adopted by the following vote:

Yeas: Corcoran, Goodman-Hinnershitz, Marmarou, Reed, Sterner, Acosta, President - 6

Nays: Waltman- 1

COUNCIL COMMENT

Councilor Marmarou noted the great support that the Outlet Community Group has with the Lance Place Playground and the community overall.

Councilor Marmarou also noted the work of the Northmont Community Group to unite their community and care for the playground.

Councilor Marmarou expressed the belief in the need for the Mayor and Council to work together.

Councilor Sterner congratulated those receiving commendations and proclamations this evening. He also noted Councilor Marmarou's passionate speech about his ethnicity.

Councilor Sterner noted that at times disagreement between the Administration and Council provides a healthy part of the legislative process.

Councilor Goodman-Hinnershitz agreed that disagreement is often a necessary component of the legislative process. She noted the disagreement of the Country's founding fathers as they drafted the Declaration of Independence.

Councilor Goodman-Hinnershitz noted the need for playground space for inner-City children and noted her excitement to see the efforts of various neighborhood groups to assist the City with the maintenance of playgrounds.

Councilor Goodman-Hinnershitz noted the importance of the City's Jazz Fest.

Councilor Corcoran agreed with the various comments about the Lance Place playground. As a new Councilor, he noted his observation of a variety of volunteers across the City assisting with various initiatives and projects.

Councilor Corcoran invited all District 1 residents and City residents in general, to join the District 1 Facebook page.

Councilor Reed stated that she attended today's DID Board meeting, who requested a meeting with DID, the Reading Parking Authority and Council regarding various downtown

parking issues. She also noted the historic tour sponsored by DID.

Councilor Reed described the various volunteer projects to assist the City with the spring beautification of the Penn Street area.

Councilor Reed announced the March 29th ribbon cutting ceremony at a Community Garden near the ATV Bakery building. She also announced the opening of a new recording studio space on Willow Street.

Councilor Goodman-Hinnershitz noted the re-opening of Dino's Sandwich Shop at Mineral Spring Road and Perkiomen Avenue. She described the various new menu items.

Council President Acosta reviewed the Council meeting schedule, noting the Special Meeting scheduled for Monday, April 2nd at 5pm in Council Chambers.

Councilor Marmarou moved, seconded by Councilor Sterner, to adjourn the regular meeting of Council.

Respectfully submitted by Linda A. Kelleher CMC, City Clerk